

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76179 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- MAHNAR District- Vaishali

1. Tarun Prasad Rai @ Tarun Kumar Rai @ Tarun Rai, S/O Sakaldeep Rai @ Sukul Rai, R/O Village- Tara Dhanmaun, P.S- Patori, Distt.- Samastipur.
2. Veena Devi, W/O Tarun Prasad Rai @ Tarun Kumar Rai @ Tarun Rai, R/O Village- Tara Dhanmaun, P.S- Patori, Distt.- Samastipur.
3. Praveen Kumar @ Kundan Kumar, S/O Tarun Prasad Rai @ Tarun Kumar Rai @ Tarun Rai, R/O Village- Tara Dhanmaun, P.S- Patori, Distt.- Samastipur.
4. Swati Kumari, W/O Praveen Kumar @ Kundan Kumar, R/O Village- Tara Dhanmaun, P.S- Patori, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-11-2023 Heard Mr. Anuj Kumar, learned counsel appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law of the daughter of the informant respectively are apprehending their arrest in connection with Mahnar P.S. Case No. 210 of 2023, registered for the offences punishable under Sections 341, 323, 379, 498A, 504 and 34 of the Indian Penal Code an 3 / 4 of D.P. Act.

3. It is alleged that the marriage of the daughter of the



informant was solemnized with the son of the petitioner nos. 1 and 2. Allegedly at the time of marriage a huge cash and other gift was taken by the accused persons, however, despite the aforesaid gift the accused persons continued with the tortures and the victim was assaulted due to which miscarriage also took place and finally she was ousted from her matrimonial home on 21.06.2023.

4. Learned counsel appearing on behalf of the petitioners submits that allegedly the victim was ousted from her matrimonial home on 21.06.2023, but the present F.I.R. has been instituted on 14.07.2023. That apart, there is no specific allegation of any torture or assault against the petitioners who are in-laws persons and residing separately from the victim and her husband. He further submits that the falsity of the cases is also evident from the fact that no medical report has been brought on record at the time of filing of the F.I.R. He lastly submits that moreover the petitioners are persons of fair antecedent and undertake that they will fully cooperate in the investigation or proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioners are responsible for the assault leading to miscarriage



of the daughter of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are in-laws persons of the daughter of the informant and there is no specific allegation of any overt act, coupled with their fair antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate in connection with Mahnar P.S. Case No. 210 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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